

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Case No. 3:16-CV-621

A. COTTEN WRIGHT, in her capacity as the court-appointed Receiver for DCG Real Assets, LLC, DCG Commercial Fund I, LLC, H20, LLC, DCG PMG, LLC, DCG PMF, LLC, Finely Limited, LLC, DCG Funds Underwriting, LLC, DCG ABF Management, LLC, DCG Funds Management, LLC, Davis Capital Group, Inc., Davis Financial, Inc., DCG Commercial Holdings, LLC, DCG Commercial, LLC, DCG Partners, LLC, DCG Real Estate Development, LLC, Huntersville Plaza Phase One, LLC, Huntersville Plaza Phase Two, LLC, North Lake Business Park, LLC, and Richard Davis Enterprises, LLC,

Plaintiff,

v.

JOHN A. BAYNES, III, JOHN BAYNES COMPANY, INC., JBC, INC., BARON ROAD PARTNERS, LLC, MICHAEL T. O'BRIEN, DEBORAH K. MCDONNELL, and JOSEPH D. PHELPS,

Defendants.

**ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT**

THIS MATTER comes before the Court on the Plaintiff's *Motion for Default Judgment* (Doc. No. 14) filed on November 22, 2016 (the "Motion"). Through the Motion, Plaintiff seeks default judgment against those defendants as to which the Clerk has previously entered default in this above-captioned action (the "Defaulting Defendants") on her claim for declaratory relief that a certain deed of trust purportedly encumbering receivership property is void. It appears from the record in this case: that a complaint was filed by Plaintiff on August 16, 2016; that service was obtained on Defaulting Defendants John Baynes Company, Inc., JBC, Inc., Baron Road Partners,

LLC, and Deborah K. McDonnell on August 22, 2016, August 23, 2016, August 23, 2016, and October 3, 2016, respectively; that the Court has jurisdiction over the subject matter of this action; that the Defaulting Defendants are not under any disability or in active military service; that the Defaulting Defendants failed to plead or appear in the time allowed by law, and that defaults have been entered against the Defaulting Defendants.

IT IS, THEREFORE, ORDERED that the Motion is **GRANTED**.

SO ORDERED.

Signed: November 30, 2016

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

